



City Neighborhood Council

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October 24, 2007

Seattle City Council
P. O. Box 34025
Seattle, WA 98124-4025

Re: State Environmental Policy Act (SEPA) Threshold Changes

Dear Councilmember:

The City Neighborhood Council has considered the proposal to amend Seattle's SEPA ordinance by increasing thresholds triggering SEPA review and applying different thresholds inside urban villages. We are not persuaded of the necessity of these changes or their alleged benefits.

CNC is concerned that reducing the unique opportunities for citizen involvement in land use decisions that are afforded under SEPA is contrary to the goals of the Growth Management Act, which requires citizen participation in planning and implementation of growth strategies. Those very neighborhoods which accepted increased density are now being told to just trust DPD and current administrative practices. It is not correct that design review as currently practiced is sufficient leverage to ensure the best outcome or encourage adequate mitigation of the negative impacts of new construction and increased density. These negative impacts can include loss of trees, loss of solar access, loss of views, loss of privacy and reduced mobility where transit service is not meeting the demands of new development.

As a state law that lays down procedures and citizen protections, SEPA provides a critical safety net in the event that Seattle ordinances and administrative procedures are not enough to mitigate inappropriate development. For example, at the October 15th workshop on proposed changes to multi-family zoning, Department of Planning and Development staff admitted that the proposed new incentive programs will effectively reduce the influence of community design review—the very process that we had been told would adequately substitute for the loss of SEPA protections.

We do not believe that there will be significant financial savings for developers from avoiding a SEPA checklist. That any such savings will trickle down in the shape of more affordable housing is highly unlikely. While it's true that defending against a SEPA appeal could impose some costs, appeals are rare occurrences. In 2006, there were only 3 SEPA appeals to the Seattle Hearing Examiner according to the latest annual report. The cost to appellants of bringing a SEPA challenge is a huge deterrent to frivolous claims and the "threat" of SEPA appeals has not prevented an explosion of townhouse, condo and commercial construction in Seattle in the past decade.

To the contrary, we find that SEPA analysis, notice, comment, and appeals (and the mediated or judicial outcomes of appeals), have improved land use projects and regulations. Through SEPA, citizen involvement has helped protect the environment and community interests while preserving property rights. As growth continues (and especially in the urban villages), we need the full force of SEPA to ensure that building projects are the best they can be.

This proposal to amend SEPA thresholds is a solution in search of a problem that does not exist. Please reject it. This letter was authorized at the September 24 City Neighborhood Council meeting.

Sincerely,

A handwritten signature in black ink that reads "Chris Leman". The signature is fluid and cursive, with the first name "Chris" and last name "Leman" clearly distinguishable.

Chris Leman, Chair
City Neighborhood Council
cleman@oo.net

A handwritten signature in black ink that reads "Irene Wall". The signature is fluid and cursive, with the first name "Irene" and last name "Wall" clearly distinguishable.

Irene Wall, Chair
CNC Neighborhood Planning Committee
iwall@serv.net

cc: Mayor, Department of Planning and Development, district councils